

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

FEBRUARY 1, 2010

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Acting Chairman Jim Liberman presiding. Upon roll call, the following responded:

Present:

Acting Chairman Jim Liberman
Steve Lichtenfeld, Aldermanic Representative
Craig S. Owens, City Manager
Ron Reim

Absent:

Chairman Harold Sanger
Marc Lopata
Scott Wilson

Also Present:

Jason Jaggi, Acting Director of Planning & Development Services
Kevin O'Keefe, City Attorney

Acting Chairman Liberman welcomed everyone to the meeting. He asked that all cell phone ringers be turned off or muted and that conversations take place outside the room so as not to disrupt the meeting.

MINUTES

The minutes of the January 4, 2010 meeting were presented for approval. The minutes were approved after having been previously distributed to each member.

CONDITIONAL USE PERMIT/ARCHITECTURAL REVIEW BOARD – DECK – J P FIELD'S – 26 N. CENTRAL AVE.

Jack Tyrer, project architect and John Harris, restaurant owner, were in attendance at the meeting.

Jason Jaggi explained that the existing one-story rear deck is proposed to be replaced and expanded to two stories. The deck will operate as an outdoor lounge for cocktail service and will also serve as an outdoor smoking area. Including the deck expansion, the restaurant will

accommodate 140 patrons. Off-street employee parking is not required because the restaurant is located in the Central Business District and is less than 3,000 square feet. The proposed hours of operation remain unchanged and are 11:00am to 1:30am Monday through Saturday and noon to 6:00pm on Sunday. Other aspects of the restaurant such as parking, deliveries and disposal of refuse also remain the same. The addition will expand the existing outdoor deck into a two-story deck that will be all on private property. The deck area will be used primarily as an outdoor lounge for cocktail service with limited food service. Because the deck is located on private property, this portion of the restaurant's outdoor dining program may operate year-round if an Outdoor Dining Permit is obtained. Patrons may access the deck area from a stairwell outside of the rear restaurant entrance in the alley to the south or through the rear of the restaurant. The proposed deck expansion will not encroach onto any public right-of-way. the owner must still comply with the City's ordinance which requires a minimum of 50% gross income come from food sales. Jason indicates that staff recommends approval of the conditional use permit amendment to the Board of Aldermen with all of the existing CUP stipulations while adding the following conditions:

1. That a minimum of 50% of the business's gross income come from food sales.
2. That an Outdoor Dining Permit be obtained prior to occupancy of the expanded deck.
3. That no banners be placed on the deck.

Acting Chairman Liberman asked if staff's recommendations were agreeable to the restaurant owner.

Mr. Tyrer replied "yes".

Steve Lichtenfeld asked about structural information.

Jason Jaggi explained that structural information is not contained on these drawings as they will be part of the permitting process and as such, reviewed by the Building Official. He stated that he believes that they are working with a structural engineer.

Steve Lichtenfeld asked if one exit meets the Code requirements.

Mr. Tyrer replied "yes".

Hearing no further questions or comments, nor questions or comments from the audience, Acting Chairman Liberman called for a motion.

Steve Lichtenfeld made a motion to recommend approval of the Conditional Use Permit amendment per staff recommendations. The motion was seconded by Ron Reim and unanimously approved by the members.

The architectural review portion of the project was now up for review.

Jason Jaggi explained that the entire deck is to be constructed of treated red cedar lumber. The roof of the second story of the deck will be covered with cedar shakes. Black and red wrought iron tables and chairs with cushions will be used on the deck area. Plans indicate that the first floor of the deck will measure 564 square feet, and the second floor will measure 607 square feet for a combined total of 1,171 square feet. The existing building seats 63 patrons indoors and 32 patrons on the existing deck for a total of 95. The first floor of the proposed deck will seat 35 patrons, and the second floor will seat 42 for a combined total of 77 outdoor deck seats. The combined indoor seating and proposed deck seating is 140. Staff estimates that the peak of the deck roof will stand 31' above the existing alley grade. Jason indicated that the proposed cedar two-story deck will be located in the rear of the restaurant to the east and will overlook the adjacent alley to the south and the parking area to the east. Staff estimates that the peak of the roof of the proposed deck expansion will extend approximately 2'6" above the roof of the existing restaurant building on the subject property. The front façade of the existing building is topped by a parapet; the height of the roof of the proposed two-story deck will not extend above the height of the parapet. The roof of the proposed deck is approximately 8'6" taller than the roof of the attached pharmacy building to the north. Because of the deck's rear location, the proposed expansion will not be visible from the Central Avenue. However, the deck will have a strong visual presence from the adjacent alley to the south. The existing parking space and dumpster underneath the existing deck will remain. The proposed deck will be embellished with potted plants and flowers and lit with outdoor decorative lighting. Jason stated that staff recommends approval as submitted.

Mr. Tyrer indicated that staff covered the project well and asked if there were any questions.

Ron Reim asked if this project has been through Code review.

Jason Jaggi indicated that only a preliminary Code review has been conducted; not a complete formal review.

Ron Reim asked if an uncovered exit stair is acceptable.

Jason Jaggi replied "yes".

Craig Owens asked if any type of plastic covering is contemplated.

Mr. Harris replied "no".

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Ron Reim and unanimously approved by the Board.

ARCHITECTURAL REVIEW – SIGNAGE – 7739-49 KINGSBURY BLVD.

Mr. Mark Titlebaum, building owner, was in attendance at the meeting.

Jason Jaggi explained that the applicant is proposing to replace the lettering on an existing brick wall with solid aluminum channel letters and LED backlighting. The applicant proposes to remove the existing ground-mounted up-light. The condominium name has been removed from the

brick wall. The address line on the ground sign remains and will not be illuminated. The sign measures 1- 5" tall by 7' wide with an area of approximately 10 square feet. The proposed sign meets the size allocation provided in the Sign Ordinance. Jason stated that the applicant has indicated to staff that the use of LED backlighting, rather than ground mounted up-lights, will reduce the emitted light from 5500 lumens to 2700 lumens. If desired, a dimmer switch can be installed to control illumination and further reduce the amount of light produced. Jason stated that backlit channel letters are not a customary application for residential signage and staff is of the opinion that the proposed lettering and halo lighting will have a commercial appearance. Although the proposed LED lighting would be a more energy efficient lighting upgrade, staff would recommend the installation of solid letters and ground mounted up-lights which are consistent with existing multi-family residential signage in the surrounding area and therefore, staff recommends approval with the condition that solid letters be used on the existing brick wall with ground mounted up-lights.

Mr. Titlebaum advised the members that they went to great lengths to study lighting in residential areas and that they are proposing the use of the best and newest that technology has to offer for a residential area (LED channel letters). He stated that he believes the proposal to be appropriate for the area/application and that the lighting will not reflect back onto the sidewalk. He stated that they can, if the Board desires, install a dimmer switch to reduce the lumens to below 2,700.

Steve Lichtenfeld indicated that he understands staff's point of view from a precedent perspective; however, he likes the soft appearance of the wall not being lit and that maybe this will be a better fit in the neighborhood. He stated that he thinks this is a worthwhile application to try and see how it looks.

Jim Liberman asked if this proposal conflicts with any conditions contained in the Sign Ordinance.

Jason Jaggi replied "no"; he stated that the decision is at this Board's discretion.

Craig Owens asked for clarification that the address is not to be illuminated.

Jason Jaggi confirmed that the address is not to be illuminated.

Mr. Titlebaum stated that he would like to have the address illuminate as well, as it will be helpful to building visitors.

Ron Reim stated that he agrees with Steve in that this is a good opportunity to try this application.

Acting Chairman Liberman asked if the address letters are too small to light.

Mr. Titlebaum indicated that he thinks they could make it work.

Acting Chairman Liberman stated that he would have no problem if the address letters were lit as well.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted and to allow LED lighting for the address as well. The motion was seconded by Ron Reim and unanimously approved by the Board.

PRESENTATION OF 2009 PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD ANNUAL REPORT

Jason Jaggi advised the members that the Ordinance requires this report be prepared on an annual bases and that it will be forwarded to the Board of Aldermen for their information.

Steve Lichtenfeld commented that it is a well-stated report and that he is surprised to see all the projects reviewed during 2009. He requested a more graphic report be prepared for presentation to the Board of Aldermen (a PowerPoint presentation to include photos of the larger projects).

Jason Jaggi agreed.

Acting Chairman Liberman stated that he enjoyed Sasaki's presentation and asked what happens next.

Craig Owens indicated that they will come back to present their findings.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 6:10 p.m.

Recording Secretary